


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

  
2005 MAY 24 AM 8:30

CHRISTOPHER LEE SCALLIONS,  
Plaintiff,

v.

LAUDERDALE COUNTY, *et al*,  
Defendants

No. 04-2556  
Judge Mays  
Magistrate Judge Pham

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**ORDER**

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Upon consent of the plaintiff and Lauderdale County, based upon this court's Order granting Dyer County's Motion to Dismiss the plaintiff's claims for punitive damages brought under 42 USC §1983 against Lauderdale County and against Deputies Kenneth N. Nelson and Kenneth Richardson in their official capacities, the parties agree that the punitive damage claims brought under 42 USC §1983 against Lauderdale County and against Deputies Kenneth N. Nelson and Kenneth Richardson acting in their official capacities should be dismissed without prejudice. Therefore, it is **ORDERED** that the punitive damage claims under federal law against Lauderdale County and Deputies Kenneth N. Nelson and Kenneth Richardson acting in their official capacities are dismissed.

The plaintiff's claims for punitive damages under 42 USC §1983 against Kenneth N. Nelson and Kenneth Richardson in their individual capacities and the plaintiff's claims for punitive damages under state law are not dismissed.

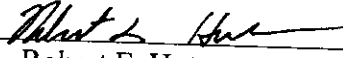
This 24th day of May, 2005.

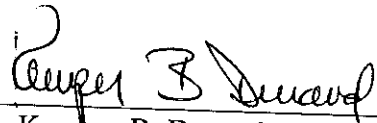
  
\_\_\_\_\_  
Samuel H. Mays, Jr.  
United States District Judge



Approved for Entry:  
GLANKLER BROWN

THOMASON, HENDRIX, HARVEY,  
JOHNSON & MITCHELL, PLLC

By:   
Robert F. Hutton  
Attorney for Plaintiff

By:   
Kemper B. Durand  
Attorney for Lauderdale County

s/ Michael W. Whitaker by  
Michael W. Whitaker KB Durand  
Attorney for Kenneth Richardson w/ permission

s/ Michael Dunavant by KB Durand  
D. Michael Dunavant w/ permission  
Attorney for Kenneth N. Nelson



## Notice of Distribution

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Honorable Samuel Mays  
US DISTRICT COURT